IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 19476 of 2004

Between:

Anisetti Durga Rao, S/o. Venkata Rao,
R/o. Jainvarigudem Village, Buttaigudem Mandal, W.G District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Buttaigudem Mandal, West Godavari District.
2 The Mandal Revenue Inspector-I, Buttaigudem Mandal, West Godavari District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order, direction more particularly one in the nature of writ of MANDAMUS declaring the Panchanama conducted by the respondents on 19-6-2004 as illegal arbitrary and violative of principles of nature justice and consequentially set aside the same.

Counsel for the Petitioner:MR.P.R.K.AMARENDRA KUMAR

Counsel for the Respondents: GP FOR REVENUE and GP FOR SOCIAL WELFARE

The Court at the stage of admission made the following ORDER:

Against the ejectment order passed by the Special Deputy Collector, Tribal Welfare, K.R.Puram, on 28-05-2003, the petitioner preferred an appeal before the Agent to the Government-District Collector, West Godavari District, Eluru, and the same is pending. Meanwhile, as no stay is granted, the first respondent-Mandal Revenue Officer, Buttaigudem, West Godavari District, directed the second respondent-Mandal Revenue Inspector-I, Buttaigudem Mandal, West Godavari District, to handover the land in question vide proceedings dated 24-05-2004 and accordingly, the second respondent conducted a panchanama on 19-06-2004. As per the said panchanama, the second respondent took the land into custody and handedover the same to the Secretary, Gram Panchayat, Jainvarigudem, for protection. In the said panchanama, it was also recorded that there is no standing crop existing therein. Questioning the said panchanama, the petitioner filed the present writ petition.

Since the statutory appeal filed by the petitioner is pending before the appellate authority, the petitioner can approach the appellate authority by filing necessary application and on making such an application, the appellate authority shall consider the same and pass appropriate orders.

The writ petition is accordingly disposed of. No costs.

16th NOVEMBER, 2004.

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To

1 The Mandal Revenue Officer, Buttaigudem Mandal, West Godavari District.
2 The Mandal Revenue Inspector-I, Buttaigudem Mandal, West Godavari District.

3 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad (OUT).

4 Two CCs to the Government Pleader for Social Welfare, A.P.High Court Buildings, Hyderabad (OUT).

5 Two CD copies.